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APPLICATION NO.	F	ILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/833,606		04/13/2001	D. Lee Manner	13202.00288	4733	
27160 <b>PATENT</b> A	7590 DMINS	03/27/2002 TRATOR		EXAMINER		
KATTEN MUCHIN ZAVIS SUITE 1600				HARRIS, ADAM R		
525 WEST N	MONROE			ART UNIT	PAPER NUMBER	
CHICAGO,	IL 6066	1		1732	(	
				DATE MAILED: 03/27/2002		

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)			
	•	09/833,606	MANNER, D. LEE			
Offic	Action Summary	Examiner	Art Unit			
<u> </u>		Adam R. Harris	1			
The MAIL Period for Reply	ING DATE of this communication app	pears on the cover sheet with the	correspondence address			
<ul> <li>Extensions of time m after SIX (6) MONTH</li> <li>If the period for reply</li> <li>If NO period for reply</li> <li>Failure to reply within</li> <li>Any reply received by</li> </ul>	STATUTORY PERIOD FOR REPL'ATE OF THIS COMMUNICATION.  The provisions of 37 CFR 1.1 is from the mailing date of this communication. Specified above is less than thirty (30) days, a reply is specified above, the maximum statutory period with the set or extended period for reply will, by statute, the Office later than three months after the mailing djustment. See 37 CFR 1.704(b).	36(a). In no event, however, may a reply be tir within the statutory minimum of thirty (30) day will apply and will expire SIX (6) MONTHS from	mely filed /s will be considered timely.			
1)⊠ Responsiv	ve to communication(s) filed on 13 A	pril 2001	•			
2a) This action		s action is non-final.				
3) Since this closed in a Disposition of Claim	application is in condition for allowa	TICE except for formal matter	rosecution as to the merits is 53 O.G. 213.			
	-16 is/are pending in the application.					
	bove claim(s) is/are withdraw					
5)☐ Claim(s)	is/are allowed.	in from consideration.				
	is/are rejected.					
	is/are objected to.					
	16 are subject to restriction and/or el	action requirement				
Application Papers		ection requirement.				
9)☐ The specifica	ation is objected to by the Examiner.					
10) The drawing	(s) filed on is/are: a) ☐ accept	ed or b) objected to by the Exam	niner			
Applicant m	ay not request that any objection to the	drawing(s) be held in abevance. See	e 37 CER 1 85(a)			
11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner.						
If approved,	corrected drawings are required in reply	to this Office action.	•			
	leclaration is objected to by the Exar	miner.				
riority under 35 U.S						
Acknowledgi (13)	ment is made of a claim for foreign p	priority under 35 U.S.C. § 119(a)-	(d) or (f).			
a) [ All b) [ 3	Some * c) X None of:					
1. Certifie	ed copies of the priority documents h	nave been received.				
2. Certifie	ed copies of the priority documents h	nave been received in Application	ı No.			
Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.						
14) Acknowledgme	ent is made of a claim for domestic p	priority under 35 U.S.C. § 119(e)	(to a provisional application)			
a) 🔲 The trans	slation of the foreign language provisent is made of a claim for domestic p	sional application has been received	und			
Notice of References ( Notice of Draftsperson Information Disclosure	Cited (PTO-892) 's Patent Drawing Review (PTO-948) Statement(s) (PTO-1449) Paper No(s)	5\   Notice of Information	PTO-413) Paper No(s) ent Application (PTO-152)			
Patent and Trademark Office 0-326 (Rev. 04-01)	Office Acti	1 Summary	_			

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Art Unit: 1732

## **DETAILED ACTION**

## Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1-10, drawn to method of manufacturing an absorbent and time release material, classified in class 264, subclass 118.

II. Claims 11-16, drawn to an absorbent and time release material, classified in class 502, subclass 400.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the product as claimed can be made by another and materially different process, such as one where the pulp is not formed into a block but rather a sheet.

- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- 4. A telephone call was made to Mr. Richard Bauer on March 20, 2002 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

## Priority

5. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Canada on 15 October 1998. It is noted, however, that applicant has not filed a certified copy of the 2,250,339 application as required by 35 U.S.C. 119(b).

Any inquiry concerning this communication or earlier communications from the examiner should

be directed to Adam R. Harris whose telephone number is (703) 305-0185. The examiner can normally

be reached on Monday - Friday, 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jan

H. Silbaugh can be reached on (703) 308-3829. The fax phone numbers for the organization where this

application or proceeding is assigned are (703) 872-9310 for regular communications and (703) 872-9311

for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be

directed to the receptionist whose telephone number is (703) 308-0661.

arh

March 25, 2002

JAN H. SILBAUGH

SUPERVISORY PATENT EXAMINER

ART UNIT 與1792

09/25/0C